

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 14

July 6, 2016

SUBJECT: RESPONSIBILITY OF THE ANIMAL CRUELTY TASK FORCE - REVISED; FOUND ANIMALS - REVISED; AND, ANIMAL CRUELTY INVESTIGATION REFERENCE GUIDE, FORM 18.48.00 – RENAMED AND REVISED

PURPOSE: This Order revises Department Manual Sections 4/204.65, *Responsibility of the Animal Cruelty Task Force*, and 4/204.75, *Found Animals*, to update procedures. This Order also renames and revises the Animal Cruelty Investigation Reference Guide, Form 18.48.00.

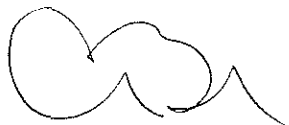
PROCEDURE:

- I. RESPONSIBILITY OF THE ANIMAL CRUELTY TASK FORCE – REVISED.** Attached is the revised Department Manual Section 4/204.65, *Responsibilities of the Animal Cruelty Task Force*, with the revisions indicated in italics.
- II. FOUND ANIMALS – REVISED.** Attached is the revised Department Manual Section 4/204.75, *Found Animals*, with the revisions indicated in italics.
- III. ANIMAL CRUELTY INVESTIGATION REFERENCE GUIDE, FORM 18.48.00 – RENAMED AND REVISED.** The Animal Cruelty Investigation Reference Guide, Form 18.48.00, has been renamed the Animal Cruelty Investigation – Field Notebook Divider, and has been revised to reflect procedural changes.

FORM AVAILABILITY: The revised Animal Cruelty Investigation – Field Notebook Divider is available in E-Forms on the Department’s Local Area Network and is attached for immediate use and duplication. All other versions of this form shall be marked “obsolete” and placed in the divisional recycle bin.

AMENDMENTS: This Order amends Sections 4/204.65 and 4/204.75 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



CHARLIE BECK
Chief of Police

Attachments

DISTRIBUTION “D”

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204.65 RESPONSIBILITIES OF THE ANIMAL CRUELTY TASK FORCE. *Detective Support and Vice Division (DSVD), Animal Cruelty Task Force (ACTF), is comprised of personnel from the Los Angeles Police Department (LAPD) and the Los Angeles Animal Services (LAAS) Department. The ACTF works with the Office of the City Attorney and the Office of the Los Angeles County District Attorney to prosecute animal cruelty crimes.*

The ACTF may assist or handle an investigation, or arrest, when requested by first responders who are conducting an animal cruelty investigation. The ACTF shall provide investigative advice and support when animal cruelty is associated with other crimes, including aggravated assaults.

The ACTF is responsible for the investigation of the following crimes:

- *Dogfighting;*
- *Cockfighting;*
- *Aggravated animal abuse resulting in serious injury or death;*
- *Severe animal neglect (felony cases);*
- *Bestiality;*
- *Animal poisoning; and,*
- *Animal sacrifice and mutilation.*

The LAAS has investigative responsibility for handling most animal neglect, animal cruelty and hoarding cases. The LAAS also has the authority and responsibility for the collection of animal evidence and the sole authority to approve medical treatment for animals, per Penal Code Section 597.1.

***Note:** The evidence chain of custody applies to animal evidence; therefore, animal evidence dead or alive, shall not be left unattended.*

Animal Cruelty – Defined. *Animal Cruelty is defined as any malicious and intentional maiming, mutilating, torturing, or wounding of a living animal or malicious killing of an animal.*

Officer's Responsibilities. *During business hours, officers shall contact the ACTF when they respond to an incident where animal cruelty is observed, suspected, or confirmed. The ACTF shall provide investigative assistance and booking advice. During off-hours, officers shall contact the ACTF and/or LAAS via Real-Time Analysis and Critical Response (RACR) Division.*

Officers shall have the following responsibilities:

- Refer to the Animal Cruelty Investigation - *Field Notebook Divider*, Form 18.48.00, for assistance in conducting a thorough animal cruelty investigation;
- *Conduct the preliminary investigation;*
- Establish the elements of the crime;
- Protect the scene and locate items which could identify the suspect or show how the crime was committed;
- Locate and identify witnesses;

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- *Secure evidence (instruments of the crime);*
- Cause photographs to be taken of the crime scene by Area personnel, or by a *Forensic Science Division (FSD)* photographer, depending upon availability;

Note: In accordance with existing procedures for processing crime scene photographs taken by *FSD* Photographic Section, the reporting officer shall enter the photographer's name and serial number in the "Notifications" box, and the *FSD* Photographic Section Control Number ("D" number) in the "Connected Reports" box of the Investigative Report. Once a DR number has been obtained, the reporting officer shall advise *FSD* Photographic Section of the DR number so that it may be referenced on the *D Form*. Complete Investigative Report (IR), Form 03.01.00, enter the applicable titles (e.g., Animal Cruelty, Animal Neglect, Bestiality, Cockfighting, Dogfighting or Animal Sacrifice) and enter "ACTF" in the investigative box;

- Notify *LAAS* via *RACR*, to impound live/dead animal evidence; *Request LAAS to provide the medical reports for the criminal investigation;*
- Indicate in the left margin of the IR that an extra copy of the report shall be forwarded to the *ACTF*; Ensure that related crime scene photographs taken by Area personnel are attached to the IR and submitted to the concerned Area records unit; and,
- *Contact the ACTF prior to providing the media with information on an animal cruelty incident or an open investigation.*

Note: Crimes involving cruelty to animals fall under the legal category of crimes against property. Cruelty to animals is covered by Penal Code Section 597, which generally makes such conduct a misdemeanor. However, it can be a felony to maliciously maim, wound, torture, or mutilate a living animal. *Officers shall contact the LAAS for any animal in need of immediate medical treatment and be guided by their advice. The LAAS may, at their direction, authorize an approved veterinarian to provide medical care during off-hours. The Bureau of Sanitation, Refuse Collection, can be contacted through RACR Division for dead animal pick up in cases where there is no evidence that a crime occurred.*

When officers make an arrest for cruelty to animals or animal sacrifice, they shall:

- Obtain booking advice from the *ACTF*;
- Obtain booking approval from the Area watch commander and book the arrestee;
- Complete the Arrest Report, Form 05.02.00, in the usual manner; and,
- Indicate in the left margin of the Arrest Report that an extra copy of the report shall be forwarded to the *ACTF*.

Area Records Unit Responsibilities. *When receiving a crime report or a Combined Crime and Arrest Report titled "Animal Cruelty," "Animal Neglect," "Bestiality," "Cockfighting," "Dogfighting," or "Animal Sacrifice," Area records unit personnel shall:*

- Process the report using the crime class code of 943 for reports titled Cruelty to Animals and the new modus operandi code of 0909, if the crime involves "Animal Sacrifice"; and,
- Forward a copy to *DSVD, ACTF*.

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204.75 FOUND ANIMALS. An officer receiving information regarding a found *and/or* abandoned animal shall, without delay, notify the *Los Angeles Animal Services (LAAS)* to take possession of the animal. Officers shall not maintain or assume ownership of a found *and/or* abandoned animal, nor shall they solicit or otherwise compel the owner *and/or* custodian to surrender their legal property rights to the LAPD.

An officer shall not request/cause any rescue group and/or any private party to assume care and control of a found animal. The LAAS has sole responsibility and authority to accept and assume care and control of a found and/or abandoned animal and must be contacted in those incidents.

Found and/or abandoned animals shall be treated as found property and released into the custody of LAAS, which has primary responsibility to take custody of the animal, locate the legal owner and seek the relinquishment of ownership, if appropriate. Many animals are micro-chipped with the legal owner's contact information and the LAAS has the equipment to obtain that information from the microchips. Under no circumstances shall an officer maintain personal custody of a found animal beyond the time needed for LAAS response.

ANIMAL CRUELTY INVESTIGATION – FIELD NOTEBOOK DIVIDER

If any form of animal cruelty is observed, suspected, or confirmed, immediately contact the Los Angeles City Animal Cruelty Task Force (ACTF) prior to implementing an investigation. The ACTF can be reached at (213) 486-0450 during business hours or RACR Division at (213) 484-6700 during off-hours. The ACTF will provide advice and respond if necessary.

ARRIVAL AT SCENE

- _____ Determine if the suspect is still at the location.
- _____ Determine if any weapon is involved.
- _____ Determine what crime has occurred, if any.
- _____ Separate suspect(s) and witness(es).
- _____ Interview suspect(s) and witness(es), including children, separately.
- _____ In the event of an injured animal, request response from Los Angeles Animal Services (LAAS) Department.
- _____ Document and photograph the animal's condition such as:
 - _____ Obvious injuries
 - _____ Wounds/Blood
 - _____ Blunt Trauma

INDICATORS OF COMMON ANIMAL RELATED CRIMES

ANIMAL NEGLECT INDICATORS

- _____ No food or water.
- _____ Emaciated appearance, i.e., ribs clearly showing, weak appearance.
- _____ Obvious adverse conditions without any evidence of treatment resulting in prolonged suffering, i.e., swollen glands, extremely matted hair, open wounds, broken limbs.

Refer to nearest City Animal shelter.

ANIMAL ABUSE INDICATORS

- _____ Visible injuries.
- _____ Other forms of abuse in the same home.
- _____ Abusive domestic relationships.
- _____ Sexual abuse.

ANIMAL BLOODSPORT INDICATORS - COCKFIGHTING

- _____ Numerous roosters constantly crowing.
- _____ High number of rooster to hen ratio.
- _____ Roosters housed separately.
- _____ Numerous noise complaints.
- _____ Cockfighting paraphernalia, i.e., fighting blades, boxing muffs, blue cote, "A" frames.
- _____ Roosters without wattles (skin under chin) and combs (skin above head).
- _____ Animal freight boxes or transport cages, fighting pit area, scales, ledgers.

ANIMAL BLOODSPORT INDICATORS - DOGFIGHTING

- _____ Numerous pit bulls at one location.
- _____ Dogs in living spaces close to one another, but not able to have physical contact.
- _____ Dogs with scars around the body and face.
- _____ Dogs that are uncharacteristically human friendly, but animal aggressive.
- _____ Dogs wearing extremely heavy chains attached to stakes pounded into the ground.
- _____ Treadmills with slats on the sides designed for dog endurance training.
- _____ Dogfighting trophies, schedules, and magazines.
- _____ Spring poles (tetherball sized pole and appearance with object or material attached for strength training).

ANIMAL TRAPPED IN VEHICLE

- _____ Evaluate existing conditions such as extreme heat or cold.
- _____ Determine the behavior or appearance of the animal (i.e., struggling, non-responsive, panting, and scratching at window). *A violation of the law will result when the animal is left unattended in a motor vehicle and is endangered.*

- _____ Locate the owner.
- _____ Contact LAAS.
- _____ Contact the ACTF.
- _____ If exigent circumstances exist, force entry into the vehicle and remove the animal.
- _____ If safe, attempt to cool or warm the animal and request LAAS for injured animal response.
- _____ If the suspect returns, detain him/her for 597.7 (a) Penal Code violation and contact the ACTF.

EVIDENCE

- _____ Document in detail the condition of the crime scene (i.e., disarray of physical surroundings, unsanitary conditions).
- _____ Photograph the crime scene.
- _____ Recover and book weapons involved in the crime (i.e., firearm, pellet gun, baseball bat).
- _____ Photograph the animal's injuries.
- _____ Note if there is any evidence of alcohol and/or drug use.
- _____ If a live animal is placed under protective custody or dead animal is impounded by LAAS, include LAAS animal impound number in the Investigative Report (IR).

Note: The LAAS has final authority on animal impounds, and will complete the required Post/Pre Seizure Notices. Do not allow a rescue group, private party, or other officers to assume control and/or care of the animal.

VETERINARIAN TREATMENT

- _____ If possible, obtain a copy of the medical treatment report and attach it to the IR.
- _____ Officers shall not approve medical treatment and/or medical cost.
- _____ Medical treatment shall be approved by the LAAS. During off-hours, LAAS will use a contract veterinarian, and will approve medical cost when necessary.
- _____ If the animal owner is the suspect, they should be referred to the ACTF detective, and shall not be allowed to retain custody of the animal.

COMPLETING THE IR

- _____ Ensure that the elements of all involved crimes are included in the IR.
- _____ Send a copy of the IR to the DSVD, ACTF.
- _____ Note whether children were present.
- _____ If animal is deceased, contact LAAS for animal impound. **(Note: Do not contact Bureau of Sanitation for dead animal pick up).** List the victim as the City of Los Angeles.

INTERVIEW SUSPECT (When advised by the ACTF Detective)

- _____ Obtain the suspect's CII and JDS rap sheets.
- _____ Check out-of-state and FBI record.
- _____ Document suspect's description of animal's alleged action, (i.e., barking, soiling carpet, biting).
- _____ If applicable, photograph offensive injuries sustained by the suspect on his/her arms, hands, knuckles, etc.
- _____ Photograph defensive injuries sustained by the animal in self-defense (i.e., cuts).
- _____ Inquire about weapon used.
- _____ Inquire about other incidents of animal cruelty.
- _____ Book clothing, including shoes, if trace evidence is present (i.e., blood, hair).

ANIMAL CRUELTY INVESTIGATION – FIELD NOTEBOOK DIVIDER

California Penal Code Sections Relating To Animal Cruelty

ANIMAL CRUELTY

597. (a) Except as provided in subdivision (c) of this section or Section 599c, every person who maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal, is guilty of a crime punishable as a felony by imprisonment, or by a fine of not more than twenty thousand dollars (\$20,000), or by both that fine and imprisonment, or alternatively, as a misdemeanor by imprisonment in a county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both that fine and imprisonment.

ANIMAL NEGLECT

597. (b) Except as otherwise provided in subdivision (a) or (c), every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is each guilty of a crime punishable as a felony by imprisonment, or by a fine of not more than twenty thousand dollars (\$20,000), or by both that fine and imprisonment, or alternatively, as a misdemeanor by imprisonment in a county jail for not more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both that fine and imprisonment.

DOGFIGHTING

597.5. (a) Any person who does any of the following is guilty of a felony and is punishable by imprisonment for 16 months, or two or three years, or by a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment: (1) Owns, possesses, keeps, or trains any dog, with the intent that the dog shall be engaged in an exhibition of fighting with another dog. (2) For amusement or gain, causes any dog to fight with another dog, or causes any dogs to injure each other. (3) Permits any act in violation of paragraph (1) or (2) to be done on any premises under his or her charge or control, or aids or abets that act.

(b) Any person who is knowingly present, as a spectator, at any place, building, or tenement where preparations are being made for an exhibition of the fighting of dogs, with the intent to be present at those preparations, or is knowingly present at that exhibition or at any other fighting or injuring as described in paragraph (2) of subdivision (a), with the intent to be present at that exhibition, fighting, or injuring, is guilty of an offense punishable by imprisonment in a county jail for a period not to exceed one year, by a fine not to exceed five thousand dollars (\$5,000), or by both imprisonment and fine.

ANIMAL LEFT IN VEHICLE

597.7. (a) No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of an animal due to heat, cold, lack of adequate ventilation, or lack of food or water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. (b) Unless the animal suffers great bodily injury, a first conviction for violation of this section is punishable by a fine not exceeding one hundred dollars (\$100) per animal. If the animal suffers great bodily injury, a violation of this section is punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment. Any subsequent violation of this section, regardless of

injury to the animal, is also punishable by a fine not exceeding five hundred dollars (\$500), imprisonment in a county jail not exceeding six months, or by both a fine and imprisonment.

(c)(3) A peace officer, humane officer, or animal control officer is authorized to take all steps that are reasonably necessary for the removal of an animal from a motor vehicle, including, but not limited to, breaking into the motor vehicle, after a reasonable effort to locate the owner or other person responsible.

COCKFIGHTING

597b. (b) Except as provided in subdivision (b) and (c), any person who, for amusement or gain, causes any cock to fight with another cock or with a different kind of animal or creature or with any human being; or who, for amusement or gain, worries or injures any cock, or causes any cock to worry or injure another animal; and any person who permits the same to be done on any premises under his or her charge or control, and any person who aids or abets the fighting or worrying of any cock is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, or by a fine not to exceed ten thousand dollars (\$10,000), or by both that imprisonment and fine. (c) A second or subsequent conviction of this section is a misdemeanor or a felony punishable by imprisonment in a county jail for a period not to exceed one year or the state prison for 16 months, two, or three years, by a fine not to exceed twenty-five thousand dollars (\$25,000), or by both that imprisonment and fine except in usual circumstances in which the interest of justice would be better served by the imposition of a lesser sentence. (d) For the purposes of this section, aiding and abetting a violation of this section shall consist of something more than merely being present or a spectator at a place where a violation is occurring.

597c. Any person who is knowingly present as a spectator at any place, building, or tenement for an exhibition of animal fighting, or who is knowingly present at that exhibition or is knowingly present where preparations are being made for the acts described in subdivision (b) of Section 597b, is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed six months, or by a fine of five thousand dollars (\$5,000), or by both that imprisonment and fine.

WARRANTLESS ENTRY FOR ANIMAL BLOODSPORT

597d. Any sheriff, police, or peace officer, or officer qualified as provided in Section 14502 of the Corporations Code, may enter any place, building, or tenement, where there is an exhibition of the fighting of birds or animals, or where preparations are being made for such an exhibition, and, without a warrant, arrest all persons present.

ANIMAL BLOODSPORT TRAINING

597h. It shall be unlawful for any person to tie or attach or fasten any live animal to any machine or device propelled by any power for the purpose of causing such animal to be pursued by a dog or dogs. Any person violating any of the provisions of this section shall be guilty of a misdemeanor punishable by a fine of two thousand five hundred dollars (\$2,500) or by imprisonment in a county jail not exceeding six months, or by both imprisonment and fine.

COCKFIGHTING BLADES

597i. (a) It shall be unlawful for anyone to manufacture, buy, sell, barter, exchange, or have in his or her possession any of the implements commonly known as gaffs or slashers, or any other sharp implement designed to be attached in place of the natural spur of a gamecock or other fighting bird. (b) Any person who violates any of the provisions of this section is guilty of a misdemeanor punishable by imprisonment in a county

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jail for a period not to exceed one year, by a fine not to exceed ten thousand dollars (\$10,000), or by both that imprisonment and fine and upon conviction thereof shall, in addition to any judgment or sentence imposed by the court, forfeit possession or ownership of those implements.

HOUSING ANIMALS FOR BLOODSPORT

597j. (a) Any person who owns, possesses, keeps, or trains any bird or other animal with the intent that it be used or engaged by himself or herself, by his or her vendee, or by any other person in an exhibition of fighting as described in Section 597b is guilty of a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year, by a fine not to exceed ten thousand dollars (\$10,000), or by both that imprisonment and fine. (b) This section shall not apply to an exhibition of fighting of a dog with another dog. (c) A second or subsequent conviction of this section is a misdemeanor punishable by imprisonment in a county jail for a period not to exceed one year or by a fine not to exceed twenty-five thousand dollars (\$25,000), or by both imprisonment and fine, except in unusual circumstances in which the interests of justice would be better served by the imposition of a lesser sentence.